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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re:

**THE LITIGATION PRACTICE
GROUP, P.C.,**

Debtor.

Case Number 8:23-bk-10571-SC

Chapter 11

**UNITED STATES TRUSTEE'S
OBJECTION TO APPLICATION FOR
ORDER SETTING HEARING ON
SHORTENED NOTICE [MOTION
FOR PROTECTIVE ORDER RE:
CONFIDENTIAL COMMERCIAL
INFORMATION OF MORNING LAW
GROUP, P.C.]**

**TO THE HONORABLE SCOTT CLARKSON, UNITED STATES
BANKRUPTCY JUDGE, DEBTOR, DEBTOR'S COUNSEL, CHAPTER 11
TRUSTEE, AND ALL PARTIES IN INTEREST:**

The United States Trustee files this Objection (the "Objection") to the Application for Order Setting Hearing on Shortened Notice [Bankr. Dkt. # 1279] filed by Morning Law Group, P.C. ("MLG") in connection with its Motion for Protective Order re: Confidential Commercial Information [Bankr. Dkt. # 1278], as set forth below.

1 On June 3, 2024, MLG filed a Motion (the “Motion”) for Protective Order Re:
2 Confidential Commercial Information of MLG [Bankr. Dkt. # 1278]. MLG also filed an
3 Application (the “OST Application”) for Order Setting Hearing on Shortened Notice in
4 connection with the Motion [Bankr. Dkt. # 1279].

5 Local Bankruptcy Rule 9075-1(b)(2) provides that any OST Application must:

- 6 (A) Describe the nature of the relief requested in the underlying
7 motion, identify the parties affected by the relief requested in
8 the motion, and state the reasons necessitating a hearing on
9 shortened notice; and
10 (B) Be supported by the declaration of one or more competent
11 witnesses under penalty of perjury that justifies the setting of
12 a hearing on shortened notice and establishes a prima facie
13 basis for the granting of the underlying motion.

14 LBR 9075-1(b)(2)(A)-(B).

15 In the OST Application, MLG provides the following reason necessitating a hearing
16 on shortened time: “The Court, the Committee and others have requested that MLG file its
17 confidential commercial information. Protections are necessary to prevent public
18 disclosure of such information. MLG seeks to comply with demands for documents as
19 soon as possible without disclosing confidential information.” OST Application (filed
20 6/3/2024), at p. 2 (Paragraph 2(c)).

21 While MLG is seeking to prevent public disclosure of certain alleged confidential
22 information, this is not a basis for setting the Motion hearing on a shortened time. MLG
23 has not provided evidence of any emergency to justify the shortened notice. Instead, the
24 hearing on the Motion should be set on regular notice so all parties are afforded sufficient
25 time to file a response to the Motion.
26
27
28

1 On May 31, 2024, United States Trustee filed a Response to MLG's Status Report to
2 address MLG's request to seal certain documentation and further reporting pursuant to §
3 107 of the Bankruptcy Code [Bankr. Dkt. # 1266]. The United States Trustee intends to
4 file a formal response to the Motion as well.
5

6 For the reasons set forth above, the United States Trustee requests that this Court
7 deny the OST Application and set the hearing on the Motion on regular notice.

8 PETER C. ANDERSON
9 UNITED STATES TRUSTEE

10 Dated: June 5, 2024

By: /s/ Kenneth Misken
Kenneth M. Misken
Assistant United States Trustee

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

OFFICE OF THE U.S. TRUSTEE, 411 West 4th St., #7160 Santa Ana, CA 92701

A true and correct copy of the foregoing document entitled (*specify*): **UNITED STATES TRUSTEE'S OBJECTION TO APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [MOTION FOR PROTECTIVE ORDER RE: CONFIDENTIAL COMMERCIAL INFORMATION OF MORNING LAW GROUP, P.C.]** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **June 5, 2024**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

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☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) **June 5, 2024**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

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Tustin, CA 92780

Committee of Unsecured Creditors
c/o Fox Rothschild LLP, Attn:
Nicholas A. Koffroth
10250 Constellation Blvd., Suite 900
Los Angeles, CA 90067

Consumer Privacy Ombudsman
Lucy L. Thomson
1455 Pennsylvania Avenue, N.W.
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Washington, D.C. 20004

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3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

06/05/2024
Date

Jaimee Zayicek
Printed Name

/s/ Jaimee Zayicek
Signature